

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Comcast of Massachusetts III, Inc.** )  
**("Comcast")** )  
**Plaintiff** )  
**vs.** )  
**Chris Keating** )  
**Defendant** )

**Case No.: 04-40244**

**ANSWER TO COMPLAINT  
FOR VIOLATION OF  
47 U.S.C. § 553**

**NATURE OF ACTION**

1. The Defendant, Chris Keating, denies the allegations contained in paragraph one of the complaint;
2. The Defendant, Chris Keating, denies the allegations contained in paragraph two of the complaint and specifically denies that he violated the provisions of 47 U.S.C. § 553 or converted the Plaintiff's property;

**PARTIES**

3. The Defendant, Chris Keating has insufficient knowledge to either admit or deny the allegations contained in paragraph three of the complaint;
4. The Defendant, Chris Keating, admits so much of the allegations contained in paragraph four of the complaint as allege that his principle residence is 30 Carrie-Ann Lane, Fitchburg, MA but denies the remaining allegations of that paragraph, and specifically denies that he violated any of the provisions of Title 47 U.S.C. § 553;

**JURISDICTION AND VENUE**

5. The allegations of paragraph five of the complaint are such as would appear to call for neither an admission or a denial, but to the extent that these allegations imply that the Defendant, Chris Keating, violated 47 U.S.C. § 553 or any other provision of state or federal law, those allegations are denied;
6. The allegations of paragraph six of the complaint are such as would appear to call for neither an admission or a denial, but to the extent that these allegations

imply that the Defendant Chris Keating, violated any provision of state or federal law, those allegations are denied;

GENERAL ALLEGATIONS

7. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in paragraph seven of the complaint;
8. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in paragraph eight of the complaint;
9. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in paragraph nine of the complaint;
10. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in paragraph ten of the complaint;
11. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in paragraph eleven of the complaint;
12. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in either paragraph twelve of the complaint;
13. The Defendant, Chris Keating, denies the allegations contained in paragraph thirteen of the complaint insofar as they apply to him and has insufficient knowledge to either admit or deny the allegations in paragraph thirteen insofar as they apply to third persons;
14. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations in paragraph fourteen of the complaint;
15. The Defendant, Chris Keating, denies the allegations contained in paragraph fifteen of the complaint;
16. The Defendant, Chris Keating denies the allegations contained in paragraph sixteen of the complaint;

COUNT I

(Violation 47 U.S.C. § 553)

17. The Defendant, Chris Keating, realleges and incorporates by reference his response to paragraphs one through sixteen of the complaint in response to paragraph seventeen of the complaint;

18. The Defendant, Chris Keating, denies the allegations contained in paragraph eighteen of the complaint;
19. The Defendant, Chris Keating, denies the allegations contained in paragraph nineteen of the complaint;
20. The Defendant, Chris Keating, has insufficient knowledge to either admit or deny the allegations contained in paragraph twenty of the complaint;
21. The Defendant, Chris Keating, denies the allegations contained in paragraph twenty-one of the complaint;
22. The Defendant, Chris Keating, denies the allegations contained in paragraph twenty-two of the complaint;
23. The Defendant, Chris Keating, denies the allegations contained in paragraph twenty-three of the complaint;

COUNT II  
(Conversion)

24. The Defendant, Chris Keating, realleges and incorporates by reference his response to paragraphs 1 through 23 in response to the allegations contained in paragraph twenty-four of the complaint;
25. The Defendant, Chris Keating, denies the allegations contained in paragraph twenty-five of the complaint;
26. The Defendant, Chris Keating, denies the allegations contained in paragraph twenty-six of the complaint;
27. The Defendant, Chris Keating, denies the allegations contained in paragraph twenty-seven of the complaint;

FIRST AFFIRMATIVE DEFENSE

If the Plaintiff suffered any injury, as the complaint alleges, which is denied, the Plaintiff's claims are barred by the statute of limitations.

SECOND AFFIRMATIVE DEFENSE

If the Plaintiff suffered any injuries, as the complaint alleges, which is denied, the Plaintiff's claims are barred by the doctrine of laches.

THIRD AFFIRMATIVE DEFENSE

The Defendant has not engaged in any action that has caused any tortuous injury or damage to the Plaintiff.

FOURTH AFFIRMATIVE DEFENSE

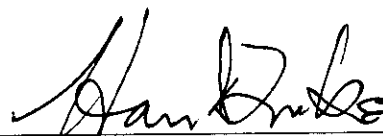
The complaint fails to state claims against the Defendant for which relief can be granted.

WHEREFORE, the defendant, Chris Keating requests that the Plaintiff's complaint be dismissed as to all allegations in all counts and that he be awarded actual costs in defending this matter, including attorney's fees, in accordance with provisions of 17 U.S.C. § 505, 47 U.S.C. § 207 and Fed. R. Civ. P. 54 (d).

DEFENDANT DEMANDS A JURY TRIAL ON ALL ISSUES RAISED HEREIN

Respectfully submitted,  
The Defendant, Chris Keating,  
By his attorney,

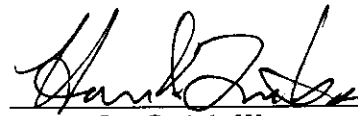
Dated: January 7, 2005



Harry D. Quick III  
O'Connor and Ryan, P.C.  
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(978) 345-4166  
BBO# 408890

**CERTIFICATE OF SERVICE**

I, Harry D. Quick III, attorney for Chris Keating, defendant, hereby certify that an exact copy of the foregoing Answer to Complaint for Violation of 47 U.S.C. §553 has been served upon the plaintiff by forwarding same to its attorney, John M. McLaughlin, Esquire, Green, Miles, Lipton & Fitz-Gibbon, P.O. Box 210, 77 Pleasant Street, Northampton, MA 01060-0210 by facsimile transmittal and regular US mail on this 7<sup>th</sup> day of January, 2005.



Harry D. Quick III